

REMARKS

Claims 1-38 are currently pending in the application. Claims 1-38 were rejected. Claims 3 and 26 have been amended.

The Examiner objected to the drawings under 37 C.F.R. 1.83(a). A new drawing sheet has been submitted herewith to explicitly show a printed ticket with a bar code, a card having magnetically stored information, and a smart card having a memory. Presumably these are the structural configurations and validation methods to which the Examiner referred. No new matter is introduced by the proposed drawing correction. If the Examiner can specifically identify any other claim limitations he believes should be shown, the Applicants respectfully invite him to do so.

In view of the foregoing, all claim limitations are believed enabled and described by the specification as filed. All limitations amenable to being illustrated in the drawings are also believed shown. More specifically, the nature of the techniques which may be employed to encode and read information on promotional devices designed according to various embodiments of the invention (e.g., bar codes, magnetic cards, memories) are well known to those of skill in the art and require no further description or illustration.

The Examiner rejected claim 26 under 35 U.S.C. 112, first paragraph, for failing to comply with the enablement requirement. Claim 26 has been amended to correct a typographical error thereby making the claim dependent on claim 23. The rejection is believed obviated thereby.

The Examiner objected to claim 3 under 37 C.F.R. 1.75(c) as having the same scope as claim 1. Claim 3 has been amended to recite "only one specific gaming application" and the objection is believed addressed thereby.

The Examiner rejected claims 1-7, 9, 11-15, 19-24, 27, 30-32, 34, and 36-37 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,547,664 (Saunders). The Examiner also

rejected claims 8, 10, 16-18, 25, 26, 28, 29, 33, and 35 under 35 U.S.C. 103(a) as being unpatentable over Saunders in view of various other references. The rejections are respectfully traversed.

Saunders describes a cashless gaming system in which printed tickets are employed having coded values, e.g., bar codes, printed thereon indicating the ticket value. The portion of the specification to which the Examiner referred (i.e., beginning at column 7, line 34) specifically identifies the kind of information which may be encoded on such a ticket including the cash-in value, the player name or ID, a PIN number, and a ticket number (see lines 44-52). However, at no place in the reference is there described a promotional devices "identifying the at least one specific gaming application and limiting the use of the credit thereto."

In fact, it is clear from Saunders that the coded value on the printed tickets may be used indiscriminately on other gaming machines without regard to specific gaming applications as long as the card still has a cash-in value. For example, in the Background of the Invention, Saunders describes his cashless system as follows:

The present invention provides a solution to the problem by providing the player with a more convenient form of the highly popular tokens so that the play can walk away from a game with a physical item and the satisfaction of winning from a particular game *which the player can use to play another game or to "cash-in" at a cashier's location.* (emphasis added)

Thus, the cashless approach described in Saunders cannot anticipate the present invention as recited in claim 1. That is, in order to be redeemable in the manner desired (i.e., for other games or for cash), the printed tickets in Saunders cannot be said to identify at least one specific gaming application, or to limit the use of any associated credit thereto. The rejection of claim 1 over Saunders is therefore believed overcome.

The gaming machine and the method for operating a gaming machine of claims 19 and 23 include similar limitations as those included in claim 1. The rejection of these claims is therefore believed overcome for at least the reasons discussed. In addition, the rejection of dependent claims 2-18, 20-22, and 24-37 are also believed overcome for at least the reasons discussed.

The Examiner rejected claim 38 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,764,666 (Bergeron). The rejection is respectfully traversed.

Bergeron describes an on-line wagering system for use in the context of a lottery system which includes a plurality of games, e.g., a variety of “instant win” games as well as the traditional number-guessing lottery game (see column 2, lines 20-34). Bergeron also describes the fact that its card may be employed to track “a pattern of games” for a particular user (col. 10, lines 43-50). Thus, Bergeron clearly intends that the tokens stored in its cards be indiscriminately used for multiple games.

The Examiner pointed to the text 32 on the card shown in Fig. 1 of Bergeron as identifying the specific gaming application and limiting its use thereto. The text reads “XYZ Lottery” which is not a specific identification of a gaming application, but a general term which encompasses all of the many games of chance typically associated with such lotteries. Thus, the card shown in Fig. 1 of Bergeron does not identify “at least one specific gaming application.” Moreover, the card of Bergeron does not limit the use of tokens to identified specific gaming applications. Rather, the tokens may be used with any game associated with the lottery, or to make any kind of wager in the wagering system. In view of the foregoing, the rejection of claim 38 over Bergeron is believed overcome.

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In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (510) 843-6200.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



Joseph M. Villeneuve
Reg. No. 37,460

P.O. Box 778
Berkeley, CA 94704-0778
(510) 843-6200